

★ DEC 10 2010 ★

COURT EXHIBIT

#1A

07-CV-3349 (SMG)

VERDICT SHEET IN STAMPF v. LONG ISLAND RAIL ROAD and TRIGG

A. *Discrimination*

1. Has the plaintiff, Melissa Stampf, established by a preponderance of the evidence that intentional gender, race, national origin, or sexual orientation discrimination, on the part of the defendant, Long Island Rail Road ("LIRR"), was a motivating factor in its decision with respect to whether and how to impose discipline on plaintiff for the events of July 9, 2006?

YES _____

NO X

If your answer to Question A1 is "no," proceed to Section

B. If your answer to Question A1 is "yes," proceed to Question A2.

(Answer the following "A" questions only if you have answered "Yes" to Question A1).

2. If you find that defendant Long Island Rail Road discriminated against plaintiff Melissa Stampf, state the category that was a motivating factor in the decision. Check all that apply.

Gender _____

Race/National Origin _____

Sexual Orientation _____

3. State the amount of damages, if any, that you award to plaintiff for any wages or fringe benefits she has proven by a preponderance of the evidence that she lost as a result of the unlawful discrimination.

Lost Wages and Benefits: \$ _____

(continued on next page)

4. State the amount of damages, if any, that you award to plaintiff for any mental and emotional distress plaintiff has proven by a preponderance of the evidence she suffered as a result of the LIRR's unlawful discrimination.

Past Mental and Emotional Damages \$ _____

Future Mental and Emotional Damages \$ _____

B. *Malicious Prosecution*

1. Has the plaintiff, Melissa Stampf, established by a preponderance of the evidence that defendant Angela Trigg commenced a criminal proceeding against plaintiff without probable cause and with malice?

YES X NO _____

If your answer to Question B1 is "no," you are to answer no further questions. Your foreperson is to sign and date the verdict form and advise the marshal that a verdict has been reached. If your answer to Question B1 is "yes," proceed to Question B2.

(Answer the following "B" questions only if you have answered "Yes" to Question B1).

2. State the amount of damages, if any, that you award to plaintiff for any mental and emotional distress plaintiff has proven by a preponderance of the evidence she has suffered or will continue to suffer as a result of the malicious prosecution by Trigg.

Past Mental and Emotional Damages: \$ 200,000

Future Mental and Emotional Damages: \$ 100,000

(continued on next page)

3. State the amount of damages, if any, that you award to plaintiff for any expenses incurred in connection with the criminal prosecution that plaintiff has proven by a preponderance of the evidence she incurred as a result of the malicious prosecution by Trigg.

Compensatory Damages: \$ 30,000

4. If you decide to award punitive damages, after having considered a) the nature and reprehensibility of what the defendant did, b) the actual and potential harm created by defendant's conduct, and c) the defendant Trigg's financial condition and the impact your punitive damages award will have on Angela Trigg, state the amount of punitive damages, if any, that you award to plaintiff.

Punitive Damages: \$ 150,000

Signed: 

Jury Foreperson

Dated: 12:10:2010

After the foreperson has signed and dated the verdict form, advise the marshal that a verdict has been reached.

U:\eoc 2010\stampf\verdict sheet - revised - 120910.wpd